

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

REDBOX AUTOMATED RETAIL, LLC,

Plaintiff,

vs.

C.A. No. 09-613 (RBK)

WARNER HOME VIDEO, a division of
WARNER BROS. HOME ENTERTAINMENT,
INC.,

Defendant.

ORDER

And now, this ____ day of _____, 2009, upon consideration of Defendant Warner Home Video's Motion to Dismiss the Complaint Pursuant to Federal Rule of Civil Procedure 12(b)(6) (the "Motion), plaintiff's response thereto, and the supporting and opposing briefs and filings submitted by the parties, it is hereby ORDERED that the Motion is GRANTED, and plaintiff's Complaint is hereby DISMISSED with prejudice for failure to state a claim upon which relief can be granted.

BY THE COURT:

Hon. Robert B. Kugler, U.S.D.J.